

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

[X] Duplicate
(check, if applicable)

Mail Stop Patent Application
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

Attorney Docket No. 053663-5007-02
First Named Inventor: Boris Skurkovich et al.
Express Mail Label No. EV260285107US
Total Pages of Transmittal Form: 2



Transmitted herewith for filing is the non-provisional utility patent application entitled:

**COMPOSITIONS AND METHODS FOR
TREATING HYPERIMMUNE RESPONSE IN THE EYE**

which is:

an ☐ Original; or

a ☐ Continuation, ☐ Divisional, or ☒ Continuation-in-part (CIP)

of prior Application No. 10/372,644, filed June 21, 2003, Application No. 09/894,287, filed June 28, 2001, now Patent No. 6,534,059 and Provisional Application No. 60/295,895, filed June 5, 2001.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 28 pages.
- ☐ Application Data Sheet.
- ☒ Unexecuted Declaration and Power of Attorney.
- ☒ Unexecuted Declaration of Simon Skurkovich.
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☐ _____ Sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☐ Computer readable copy ☐ Paper Copy ☐ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignees: **Advanced Biotherapy, Inc.**
- ☐ Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
 - ☐ herewith or ☐ in prior application _____.
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☒ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Preliminary Amendment.
- ☐ Information Disclosure Statement, PTO-1449, and cited references.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)

☐ Other:

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE: \$375			BASIC FEE: \$750	
Total	20-20 =	0	X9	\$ 0	OR	X18	\$
Independent	2- 3=	0	X42	\$ 0	OR	X84	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$140	\$	OR	\$280	\$
			TOTAL	\$ 375.00	OR	TOTAL	\$

☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.

☐ A check in the amount of \$__ to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 053663-5007-02)** as noted below. A duplicate copy of this sheet is enclosed.

☒ Any overpayments or deficiencies in the above-calculated fee.

☒ Filing fee in the amount of **\$375.00** as calculated above.

☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.

☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

August 5, 2003
(Date)

By:

Kathryn Doyle
KATHRYN DOYLE, Ph.D, J.D.
Registration No. 36,317
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Direct Dial: (215) 963-4723
Facsimile: (215) 963-5001
E-Mail: kdoyle@morganlewis.com
Attorney for Applicants

☒ Customer Number or Bar Code Label: **028977**

KD/JDGB/dlm
Enclosures

del